

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: IDAHO

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

☐ Section 1902(f) State ☐ Non-Section 1902(f) State

An exception to using the SSI, AFDC, poverty level pregnant woman, poverty level child and Child Health Insurance Program methodology for treatment of resources exists under Section 1902(r)(2) of the Act where an individual has excess resources. Such excess resources can be excluded if the individual makes reasonable efforts to sell the resources at their current market value. For personal property, the exclusion is limited to 3 months with one 3-month extension in the case of excess personal property. For real property, the exclusion extends for so long as the individual continues to make reasonable efforts to sell. For aged, blind and disabled individuals this methodology is procedurally the same as the SSI conditional eligibility payments provisions in SSI POMS SI01130.140 and SI01150.200. For aged, blind and disabled individuals this exception includes the exclusion of excess real property which cannot be sold without undue hardship to a joint owner as provided in SSI POMS SI01130.130.

An exception to using the SSI methodology for treatment of the principal balance of an income-producing sales contract exists under Section 1902r(2) of the Act for aged, blind and disabled individuals in a nursing facility or an intermediate care facility for the mentally retarded and for individuals receiving Medicaid under a home and community-based service waiver. The principal balance of an income producing sales contract is an excluded resource for such individuals.

An exception to using the AFDC resource methods exists under Section 1902r(2) of the Act for individuals below age 21 for whom public agencies are assuming full or partial financial responsibility and who are in foster homes or in private institutions. In addition to the AFDC program exclusions, these individuals may have an additional amount up to \$5,000 excluded from resources if the money is held in trust for the individual.

The resource methods used for poverty level pregnant women covered under Section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act are:

Countable resources must be five thousand dollars (\$5,000) or less for the pregnant woman to be eligible. Resources are evaluated using SSI methods except as noted in subsection a. and b.

- a. Vehicles: One (1) vehicle, regardless of value, is excluded. The family unit may determine which vehicle shall be excluded. In a two (2) parent family, a second (2nd) vehicle, regardless of value, may be excluded. The second (2nd) vehicle must be used for medical transportation, or seeking or retaining employment. The equity value of other vehicles is considered a countable resource.
- b. Retirement Funds: Funds in IRAs or employment related retirement accounts are excluded and not considered against the resource limit.

TN No. 99-004
Supersedes
TN No. 95-014

Approval Date 7/1/99

Effective Date 4/1/99